

# TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES  
COMMISSIONER

March 29, 2012

The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Re: Big Bend Telephone Company Petition for Waiver, WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208

Dear Chairman Genachowski:

Thank you for your commitment to expanding telecommunications and broadband services to residents across this nation. As you well know, the ability to communicate is essential to daily life, as well as the opportunity to advance into the future. Because of the significant challenges rural areas face in obtaining reliable voice and broadband services, I write today to request your thoughtful consideration of Big Bend Telephone Company's (Big Bend and BBTC) waiver request for the National Broadband Plan as it relates to the rate of return for rural local exchange carriers.

Big Bend plays a vital role in providing telecommunications services in a more than 17,500-square-mile area of West Texas. Due to increased violence and crimes perpetrated along the border, especially in rural areas like the territory BBTC serves, the state is strategically focused on promoting economic development in rural areas and securing the Texas-Mexico border while facilitating the legal movement of people and goods across and along the border.

The families and businesses in this rural West Texas area depend on BBTC's infrastructure for educational, healthcare and emergency services, and to conduct daily business activity and connect to consumers. The Federal Communications Commission's recent Universal Service Order could threaten the rural communities served by BBTC by disrupting every rancher, farmer, business, resident and local government in West Texas.

The counties included in Big Bend's service territory are important to the Texas agricultural industry. Approximately 72 percent of the total land area in the counties is in agricultural use, generating a direct economic impact of \$192 million for the state. Additionally BBTC provides services to 14 school districts, the University of Texas McDonald Observatory, two institutions of higher education, Big Bend National Park and several healthcare facilities. Continued operation of the institutions is vital for rural and economic development.



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The preservation of the Big Bend communications network is also critically important to the State of Texas and our residents because of its value to public safety efforts. Big Bend operates telecommunications infrastructure along approximately 500 miles of the Texas-Mexico border. Public safety officers and other officials, like Texas Department of Agriculture and U.S. Department of Agriculture inspectors, responsible for protecting our state and nation from a host of threats, from criminal activity perpetrated by drug cartels to plant and pest disease that could threaten our nation's food and fiber supply, could realize a loss of communications resources which could hinder their efforts and unnecessarily increase their exposure to harm.

Specific to homeland and border security agencies, BBTC provides broadband and voice services to: four highway check points; two international border crossings; two ports of entry; seven administrative facilities; and three housing facilities that serve homeland security personnel.

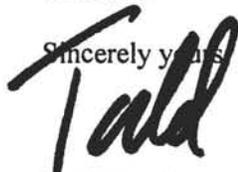
A secure border should protect against illegal movement and also promote the legal transport of people and goods. If the waiver request is not granted, operation of transportation systems could be negatively impacted. Efficient transportation infrastructure is important to local residents and international businesses that need to efficiently move products to market for economic development.

Because of the critical role Big Bend plays in providing communications services to remote and largely unserved areas of the state and because of the loss of service to public safety, authorization of the waiver is essential. Failure to approve the waiver would be a true detriment to economic development, homeland security, public safety, transportation efforts and all area residents.

According to BBTC's waiver petition, I understand that, under the FCC's new rules, BBTC would default on its loans as early as next year. Within a short window of time, the only communications network capable of serving needs in this large and strategic area of the state and nation could be jeopardized. This is counter to the FCC's charge of increasing access to communications services. Rural Texas, and the men and women who protect our state and nation, need access to reliable and affordable voice and broadband services. I respectfully urge you to resolve this matter immediately to ensure continued telecommunications service.

Thank you again for your attention to this matter. Please feel free to contact me with questions or concerns.

Sincerely yours,

A handwritten signature in black ink that reads "Todd". The signature is written in a cursive, slightly slanted style.

Todd Staples

cc: Mr. Ted Houghton, Chairman, Texas Transportation Commission  
Mr. Allan Polunsky, Chairman, Texas Public Safety Commission